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PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In the application of: Mark E. DAVIS *et al.*

Serial No.: 09/339,818

Filed: June 25, 1999

Group Art Unit: 1623

Examiner: Crane, L.E.

For: LINEAR CYCLODEXTRIN COPOLYMERS

1. Transmittal for Amendment and Response to Office Action
2. Amendment and Response to Office Action
3. Formal Drawings (5 sheets, including 6 figures)
4. Declaration Under 37 C.F.R. §1.131
5. Copy of Research Report Entitled *Studies Toward The Development Of A Novel Cyclodextrin-Based Polymer Delivery System For Gene Therapy*

Dated: May 2, 2002

Attorney Docket No.: 038134-5001-01

JAL/DKH/pmj



DOCKETED

By SQW Date 5-3-02

PATENT
Attorney Docket No. 038134-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark E. DAVIS et al.

Application No.: 09/339,818

Filed: June 25, 1999

For: LINEAR CYCLODEXTRIN
COPOLYMERS

Group Art Unit: 1623

Examiner: L. Crane

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

AMENDMENT AND RESPONSE TO OFFICE ACTION TRANSMITTAL FORM

1. Transmitted herewith is a Response to Office Action responding to the Office Action dated March 13, 2002 (Paper No. 20).
2. Additional papers enclosed:

☒ Drawings: ☒ Formal (5 sheets, incl. 6 figures) ☐ Informal
☐ Information Disclosure Statement
☐ Form PTO-1449, _____ references included
☒ Declaration Under 37 C.F.R. §1.131

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

[x] Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$195.00
<input type="checkbox"/> three months	\$ 890.00	\$445.00
<input type="checkbox"/> four months	\$1,390.00	\$695.00

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Extension of time fee due with this request: \$_____

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for __ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	20	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$78 each=	+ \$0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$270.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☒ No fee is to be paid at this time.

[] Charge \$_____ to Deposit Account No. 50-0310. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

[x] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

6. Constructive Petition

[x] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: May 2, 2002

By: _____

Jeffrey A. Lindeman
Jeffrey A. Lindeman
Reg. No. 34,658

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave., N.W.
Washington, D.C. 20004
202-739-3000

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